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Attorneys for Defendant
NAVIENT SOLUTIONS, INC.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA – SAN DIEGO

MIR NEMATULLAH SADAT,

Plaintiff,

v.

NAVIENT SOLUTIONS, INC.

Defendant.

Case No. **'16CV1772 BEN BLM**

**NOTICE OF REMOVAL OF
ACTION TO FEDERAL COURT
BASED ON FEDERAL QUESTION
JURISDICTION**

[28 U.S.C. § 1331]

[San Diego County Superior Court Case
No. 37-2016-00334929-SC-SC-CTL]

Complaint Filed: May 9, 2016
Complaint Served: June 9, 2016

**TO THE COURT, ALL PARTIES, AND TO THEIR COUNSEL OF
RECORD:**

Defendant Navient Solutions, Inc. (NSI), pursuant to 28 U.S.C. §§ 1331, 1441 and 1446, hereby removes this action from the Superior Court of the County of San Diego, to the United States District Court for the Southern District of California, and states as follows:

1 **I. STATEMENT OF THE CASE**

2 1. On May 9, 2016, an action was commenced in the Superior Court of
3 the County of San Diego, styled *Mir Nematullah Sadat v. Navient Solutions, Inc.*,
4 Case No. 37-2016-00334929-SC-SC-CTL (**State Court Action**). A copy of the
5 complaint in the State Court Action is attached hereto as part of **Exhibit 1**.

6 2. Plaintiff Mir Nematullah Sadat (**Plaintiff**) asserts one cause of action,
7 which he characterizes as follows: (1) Violations of Fair Debt Collection Practices
8 Act (the **FDCPA**), 15 U.S.C. § 1692, et seq.

9 **II. BASIS FOR REMOVAL JURISDICTION: FEDERAL QUESTION**
10 **JURISDICTION**

11 1. District courts have federal question jurisdiction over "all civil actions
12 arising under the Constitution, laws, or treaties of the United States." 28 U.S.C. §
13 1331. This Court has jurisdiction over this matter under 28 U.S.C. § 1331 because
14 plaintiff's claims arise under the laws of the United States.

15 2. A case "arises under" federal law if the complaint establishes "either
16 that federal law creates the cause of action or that the plaintiff's right to relief
17 necessarily depends on resolution of a substantial question of federal law."
18 *Proctor v. Vishay Intertechnology, Inc.*, 584 F.3d 1208, 1219 (9th Cir. 2009)
19 (citations omitted).

20 3. Plaintiff's complaint relies on federal law—namely, the FDCPA. (*See*
21 Complaint ¶ 3.) Plaintiff alleges NSI violated the FDCPA by "incorrectly
22 reporting to credit bureau agencies." (*Id.*) Adjudication of the complaint thus
23 requires an analysis and construction of the FDCPA to determine whether Plaintiff
24 is entitled to damages as alleged. Removal under 28 U.S.C. § 1331 is proper.

25 **III. ALL PROCEDURAL REQUIREMENTS FOR REMOVAL HAVE**
26 **BEEN SATISFIED**

27 1. Removal of this action is timely. NSI was served with the complaint
28 on June 9, 2016. This action has been removed within 30 days of such service.

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2. This Court is the appropriate forum for removal. Plaintiff filed the state court action in San Diego County Superior Court. The United States District Court for the Southern District of California, is the federal judicial division embracing San Diego County, California.

3. Pursuant to 28 U.S.C. § 1446(a), a true and correct copy of all of the process, pleadings, and orders on file in the State Court Action are attached hereto as **Exhibit 1**.

4. Written notice of the filing of this notice of removal will be given to plaintiff.

5. A copy of this notice will be promptly filed with the Clerk of the Superior Court of San Diego County.

IV. CONCLUSION

1. By this notice of removal and the associated attachments, NSI does not waive any objections it may have as to service, jurisdiction or venue, or any other defenses or objections it may have to this action. NSI intends no admission of fact, law or liability by this notice, and expressly reserves all defenses, motions and/or pleas. NSI prays that the State Court Action be removed to this Court, that all further proceedings in the state court be stayed, and that NSI receives all additional relief to which it is entitled.

Dated: July 8, 2016

Respectfully submitted,

AKERMAN LLP

By: /s/ Dennis N. Lueck, Jr.

Dennis N. Lueck, Jr.
Christopher R. Fredrich
Attorneys for Defendant
NAVIENT SOLUTIONS, INC.

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EXHIBIT 1

SC-100**Plaintiff's Claim and ORDER
to Go to Small Claims Court**

Clerk stamps date here when form is filed.

FILED
Clerk of the Superior Court**MAY 09 2016**By: P. Viernes, Clerk**Notice to the person being sued:**

- You are the Defendant if your name is listed in ② on page 2 of this form. The person suing you is the Plaintiff, listed in ① on page 2.
- You and the Plaintiff must go to court on the trial date listed below. If you do not go to court, you may lose the case.
- If you lose, the court can order that your wages, money, or property be taken to pay this claim.
- Bring witnesses, receipts, and any evidence you need to prove your case.
- Read this form and all pages attached to understand the claim against you and to protect your rights.

Aviso al Demandado:

- Usted es el Demandado si su nombre figura en ② de la página 2 de este formulario. La persona que lo demanda es el Demandante, la que figura en ① de la página 2.
- Usted y el Demandante tienen que presentarse en la corte en la fecha del juicio indicada a continuación. Si no se presenta, puede perder el caso.
- Si pierde el caso la corte podría ordenar que le quiten de su sueldo, dinero u otros bienes para pagar este reclamo.
- Lleve testigos, recibos y cualquier otra prueba que necesite para probar su caso.
- Lea este formulario y todas las páginas adjuntas para entender la demanda en su contra y para proteger sus derechos.

Fill in court name and street address:


Superior Court of California, County of
San Diego
330 W Broadway, Rm 241
San Diego, CA 92101

Clerk fills in case number and case name:

Case Number:
37-2016-00334929-SC-SC-CTL
Case Name:
Sadat vs. Navient Solutions, Inc

Order to Go to Court**The people in ① and ② must go to court: (Clerk fills out section below.)**

Trial Date	Date	Time	Department	Name and address of court if different from above
1.	09/22/2016	08:00:00 AM	C-22	220 West Broadway San Diego, CA 92101
2.				
3.	<u>Written request for continuance must include a \$10.00 fee and be submitted at least 10 days before trial date.</u>			

Date: 05/25/2016 Clerk, by  P. Viernes, Deputy

Instructions for the person suing:

- You are the Plaintiff. The person you are suing is the Defendant.
- Before you fill out this form, read Form SC-100-INFO, *Information for the Plaintiff*, to know your rights. Get SC-100-INFO at any courthouse or county law library, or go to: www.courts.ca.gov/smallclaims/forms.
- Fill out pages 2 and 3 of this form. Then make copies of all pages of this form. (Make one copy for each party named in this case and an extra copy for yourself.) Take or mail the original and these copies to the court clerk's office and pay the filing fee. The clerk will write the date of your trial in the box above.
- You must have someone at least 18—not you or anyone else listed in this case—give each Defendant a court-stamped copy of all 5 pages of this form and any pages this form tells you to attach. There are special rules for "serving," or delivering, this form to public entities, associations, and some businesses. See Forms SC-104, SC-104B, and SC-104C.
- Go to court on your trial date listed above. Bring witnesses, receipts, and any evidence you need to prove your case.

Mir Nematullah Sadat
 Plaintiff (list names): _____

Case Number:
 37-2016-00334929-SC-SC-CTL

- ① **The Plaintiff (the person, business, or public entity that is suing) is:**
 Name: Mir Nematullah Sadat Phone: 858-265-6095
 Street address: 9431 Gold Coast Drive # F6, San Diego, CA 92126
Street City State Zip
 Mailing address (if different): _____
Street City State Zip
If more than one Plaintiff, list next Plaintiff here:
 Name: _____ Phone: _____
 Street address: _____
Street City State Zip
 Mailing address (if different): _____
Street City State Zip
☐ Check here if more than two Plaintiffs and attach Form SC-100A.
☐ Check here if either Plaintiff listed above is doing business under a fictitious name. If so, attach Form SC-103.

- ② **The Defendant (the person, business, or public entity being sued) is:**
 Name: Navient Solutions, Inc Phone: 888-272-5542
 Street address: 2001 Edmund Halley Drive, Reston, VA 20191
Street City State Zip
 Mailing address (if different): Serve: CSC-Lawyers Incorporating Service
2710 Gateway Oaks Drive # Suite 150N, Sacramento, CA 95833
Street City State Zip
If more than one Defendant, list next Defendant here:
 Name: _____ Phone: _____
 Street address: _____
Street City State Zip
 Mailing address (if different): _____
Street City State Zip
☐ Check here if more than two Defendants and attach Form SC-100A.
☐ Check here if any Defendant is on active military duty, and write his or her name here: _____

- ③ **The Plaintiff claims the Defendant owes \$ 2,000.00 . (Explain below):**
 a. Why does the Defendant owe the Plaintiff money? Violations of Fair Debt Collection Practices Act by incorrectly reporting to credit bureau agencies
 b. When did this happen? (Date): 01/22/2016
 If no specific date, give the time period: Date started: 01/22/2016 Through: 05/10/2016
 c. How did you calculate the money owed to you? (Do not include court costs or fees for service.)
Two violations at \$1000.00 each.

☐ Check here if you need more space. Attach one sheet of paper or Form MC-031 and write "SC-100, Item 3" at the top.

Case Number:

37-2016-00334929-SC-SC-CTL

Plaintiff (list names): Mir Nematullah Sadat

4 You must ask the Defendant (in person, in writing, or by phone) to pay you before you sue.Have you done this? ☒ Yes ☐ No

If no, explain why not: _____

5 Why are you filing your claim at this courthouse?**This courthouse covers the area (check the one that applies):**

- a. ☒ (1) Where the Defendant lives or does business. (4) Where a contract (written or spoken) was made, signed, performed, or broken by the Defendant or where the Defendant lived or did business when the Defendant made the contract.
- (2) Where the Plaintiff's property was damaged.
- (3) Where the Plaintiff was injured.
- b. ☐ Where the buyer or lessee signed the contract, lives now, or lived when the contract was made, if this claim is about an offer or contract for personal, family, or household goods, services, or loans. (Code Civ. Proc., § 395(b).)
- c. ☐ Where the buyer signed the contract, lives now, or lived when the contract was made, if this claim is about a retail installment contract (like a credit card). (Civil Code, § 1812.10.)
- d. ☐ Where the buyer signed the contract, lives now, or lived when the contract was made, or where the vehicle is permanently garaged, if this claim is about a vehicle finance sale. (Civil Code, § 2984.4.)
- e. ☐ Other (specify): _____

6 List the zip code of the place checked in (5) above (if you know): 92126**7 Is your claim about an attorney-client fee dispute?** ☐ Yes ☒ NoIf yes, and if you have had arbitration, fill out Form SC-101, attach it to this form, and check here: ☐**8 Are you suing a public entity?** ☐ Yes ☒ NoIf yes, you must file a written claim with the entity first. ☐ A claim was filed on (date): _____

If the public entity denies your claim or does not answer within the time allowed by law, you can file this form.

9 Have you filed more than 12 other small claims within the last 12 months in California?☐ Yes ☒ No If yes, the filing fee for this case will be higher.**10 I understand that by filing a claim in small claims court, I have no right to appeal this claim.****11 I have not filed, and understand that I cannot file, more than two small claims cases for more than \$2,500 in California during this calendar year.**

I declare, under penalty of perjury under California State law, that the information above and on any attachments to this form is true and correct.

Date: 05/09/2016 Mir Nematullah Sadat

Plaintiff types or prints name here

ORIGINAL SIGNATURE ON FILE

Plaintiff signs here

Date: _____

Second Plaintiff types or prints name here

Second Plaintiff signs here

Requests for Accommodations

Assistive listening systems, computer-assisted, real-time captioning, or sign language interpreter services are available if you ask at least five days before the trial. Contact the clerk's office for Form MC-410, *Request for Accommodations by Persons With Disabilities and Response*. (Civil Code, §54.8.)

SC-100**Information for the Defendant (the person being sued)**

"Small claims court" is a special court where claims for \$5,000 or less are decided. A "natural person" (not a business or public entity) may claim up to \$10,000, including a sole proprietor. (See below for exceptions.*) The process is quick and cheap. The rules are simple and informal. You are the Defendant -- the person being sued. The person who is suing you is the Plaintiff.

Do I need a lawyer?

You may talk to a lawyer before or after the case. But you *may not* have a lawyer represent you in court (unless this is an appeal from a small claims case).

How do I get ready for court?

You don't have to file any papers before your trial, unless you think this is the wrong court for your case. But bring to your trial any witnesses, receipts, and evidence that supports your case. And read "Be Prepared for Your Trial" at: www.courts.ca.gov/smallclaims/prepare

What if I need an accommodation?

If you have a disability or are hearing impaired, fill out Form MC-410, *Request for Accommodations*. Give the form to your court clerk or the ADA/Access Coordinator.

What if I don't speak English well?

Bring an adult who is not a witness to interpret for you, or ask the court clerk for an interpreter at least five days before your court date. A court-provided interpreter may not be available or there may be a fee for using a court interpreter unless you qualify for a fee waiver. You may ask the court for a list of interpreters and also the *Request to Waive Court Fees* (form FW-001).

Where can I get the court forms I need?

Go to any courthouse or your county law library, or print forms at: www.courts.ca.gov/smallclaims/forms.

What happens at the trial?

The judge will listen to both sides. The judge may make a decision at your trial or mail the decision to you later.

What if I lose the case?

If you lose, you can appeal. You'll have to pay a fee. (Plaintiffs cannot appeal their own claims.)

- If you were at the trial, file Form SC-140, *Notice of Appeal*. You must file within 30 days after the judge's decision.
- If you were *not* at the trial, fill out and file Form SC-135, *Notice of Motion to Vacate Judgment and Declaration*, to ask the judge to cancel the judgment (decision). If the judge does not give you a new trial, you have 10 days to appeal the decision. File Form SC-140.

For more information on appeals, see:
www.courts.ca.gov/smallclaims/appeal.

Do I have options?

Yes. If you are being sued, you can:

- **Settle your case before the trial.** If you and the Plaintiff agree on how to settle the case, both of you must notify the court. Ask the Small Claims Advisor for help.
- **Prove this is the wrong court.** Send a letter to the court *before* your trial, explaining why you think this is the wrong court. Ask the court to dismiss the claim. You must serve (give) a copy of your letter (by mail or in person) to all parties. (Your letter to the court must say you have done so.)
- **Go to the trial and try to win your case.** Bring witnesses, receipts, and any evidence you need to prove your case. To make sure the witnesses go to the trial, fill out Form SC-107, and the clerk will subpoena (order) them to go.
- **Sue the person who is suing you.** File Form SC-120, *Defendant's Claim*. There are strict filing deadlines you must follow.
- **Agree with the Plaintiff's claim and pay the money.** Or, if you can't pay the money now, go to your trial and say you want to make payments.
- **Let the case "default."** If you don't settle and do not go to the trial (default), the judge may give the Plaintiff what he or she is asking for plus court costs. If this happens, the Plaintiff can legally take your money, wages, and property to pay the judgment.

What if I need more time?

You can change the trial date if:

- You cannot go to court on the scheduled date (you will have to pay a fee to postpone the trial) *or*
- You did not get served (receive this order to go to court) at least 15 days before the trial (or 20 days if you live outside the county) *or*
- You need more time to get an interpreter. One postponement is allowed, and you will not have to pay a fee to delay the trial.

Ask the Small Claims Clerk about the rules and fees for postponing a trial. Or fill out Form SC-150 (or write a letter) and mail it to the court *and* to all other people listed on your court papers before the deadline. Enclose a check for your court fees, unless a fee waiver was granted.

**Need help?**

Your county's Small Claims Advisor can help for free.

(858) 634-1777 Advisor's Number
(858) 634-1900 Recorded Information

Or go to www.courts.ca.gov/smallclaims/advisor.

*Exceptions: Different limits apply in an action against a defendant who is a guarantor. (See Code Civ.Proc. §116.220(c).)

SC-100**Información para el demandado (la persona demandada)**

La "Corte de reclamos menores" es una corte especial donde se deciden casos por \$5,000 ó menos. Una "persona natural" (que no sea un negocio ni una entidad pública) puede reclamar hasta \$10,000. Una "persona natural" (que no sea un negocio ni una entidad pública), que incluye un dueño generalmente puede reclamar hasta \$10,000. (* Vea abajo para las excepciones.) El proceso es rápido y barato. Las reglas son sencillas e informales.

Usted es el Demandado — la persona que se está demandando. La persona que lo está demandando es el Demandante.

¿Necesito un abogado?

Puede hablar con un abogado antes o después del caso.

Pero *no puede* tener a un abogado que lo represente ante la corte (a menos que se trate de una apelación de un caso de reclamos menores).

¿Cómo me preparo para ir a la corte?

No tiene que presentar ningunos papeles antes del juicio, a menos que piense que ésta es la corte equivocada para su caso. Pero lleve al juicio cualquier testigos, recibos, y cualquier pruebas que apoyan su caso. Y Lea "Prepárese para la corte" en:

www.courts.ca.gov/reclamosmenores/prepararse.

¿Qué hago si necesito una adaptación?

Si tiene una discapacidad o tiene impedimentos de audición, llene el formulario MC-410, *Request for Accommodations*. Entregue el formulario al secretario de la corte o al Coordinador de Acceso/ADA de su corte.

¿Qué pasa si no hablo bien inglés?

Traiga a un adulto que no sea testigo para que le sirva de intérprete. O pida al secretario de la corte que le asigne uno. Si quiere que la corte le asigne un intérprete, lo tiene que pedir como mínimo menos cinco días antes de la fecha en que tenga que ir a la corte. Es posible que no haya disponible un intérprete proporcionado por la corte o que tenga que pagar una cuota por emplear un intérprete de la corte, a menos que tenga una exención de cuotas. Puede pedir a la corte una lista de intérpretes y la Solocitude de exención de cuotas y costos de la corte (formulario FW-001).

¿Dónde puedo obtener los formularios de la corte que necesito?

Vaya a cualquier edificio de la corte, la biblioteca legal de su condado o imprima los formularios en:

www.courts.ca.gov/smallclaims/forms

¿Qué pasa en el juicio?

El juez escuchará a ambas partes. El juez puede tomar su decisión durante la audiencia o enviársela por correo después.

¿Qué pasa si pierdo el caso?

Si pierde, puede apelar. Tendrá que pagar una cuota. (El Demandante no puede apelar su propio reclamo.)

- Si estuvo presente en el juicio, llene el formulario SC-140, *Aviso de apelación*. Tiene que presentarlo dentro de 30 días después de la decisión del juez.
- Si *no* estuvo en el juicio, llene y presente el formulario SC-135, *Aviso de petición para anular el fallo y Declaración* para pedirle al juez que anule el fallo (decisión). Si la corte no le otorga un nuevo juicio, tiene 10 días para apelar la decisión. Presente el formulario SC-140.

Para obtener más información sobre las apelaciones, vea:

www.courts.ca.gov/reclamosmenores/apelaciones.

¿Tengo otras opciones?

Sí. Si lo están demandando, puede:

- **Resolver su caso antes del juicio.** Si usted y el Demandante se ponen de acuerdo en resolver el caso, ambos tienen que notificar a la corte. Pídale al Asesor de Reclamos Menores que lo ayude.
- **Probar que es la corte equivocada.** Envíe una carta a la corte *antes* del juicio explicando por qué cree que es la corte equivocada. Pídale a la corte que despida el reclamo. Tiene que entregar (dar) una copia de su carta (por correo o en persona) a todas las partes. (Su carta a la corte tiene que decir que hizo la entrega.)
- **Ir al juicio y tratar de ganar el caso.** Lleve testigos, recibos y cualquier prueba que necesite para probar su caso. Para asegurarse que los testigos vayan al juicio, llene el formulario SC-107 y el secretario emitirá una orden de comparecencia ordenándoles que se presenten.
- **Demandar a la persona que lo demandó.** Presente el formulario SC-120, Reclamo del demandado. Hay fechas límite estrictas que debe seguir.
- **Aceptar el reclamo del Demandante y pagar el dinero.** O, si no puede pagar en ese momento, vaya al juicio y diga que quiere hacer los pagos.
- **No ir al juicio y aceptar el fallo por falta de comparecencia.** Si no llega a un acuerdo con el Demandante y no va al juicio (fallo por falta de comparecencia), el juez le puede otorgar al Demandante lo que está reclamando más los costos de la corte. En ese caso, el Demandante legalmente puede tomar su dinero, su sueldo o sus bienes para cobrar el fallo.

¿Qué hago si necesito más tiempo?

Puede cambiar la fecha del juicio si:

- No puede ir a la corte en la fecha programada (Tendrá que pagar una cuota para aplazar el juicio), o
- No le entregaron los documentos legalmente (no recibió la orden para ir a la corte) por lo menos 15 días antes del juicio (ó 20 días si vive fuera del condado), o
- Necesita más tiempo para conseguir intérprete. (Se permite un solo aplazamiento sin tener que pagar cuota para aplazar el juicio).

Preguntele al secretario de reclamos menores sobre las reglas y las cuotas para aplazar un juicio. O llene el formulario SC-150 (o escriba una carta) y envíelo antes del plazo a la corte y a todas las otras personas que figuran en sus papeles de la corte. Adjunte un cheque para pagar los costos de la corte, a menos que le hayan dado una exención.

**¿Necesita ayuda? El Asesor de Reclamos**

Menores de su condado le puede ayudar sin cargo.

(858) 634-1777 Advisor's Number
(858) 634-1900 Recorded Information

O vea "Información por condado" en:
www.courts.ca.gov/reclamosmenores/asesores.

*Excepciones: Existen diferentes límites en un reclamo contra un garante. (Vea el Código de Procedimiento Civil, sección 116.220 (c).) En un caso presentado por una persona natural por daños debido a lesiones físicas en un accidente automovilístico, existe un límite de \$7,500 si el demandado tiene cobertura bajo una póliza de seguro de vehículo que incluye la obligación de defender. (Vea el Código de Procedimiento Civil, sección 116.221.)

3437 Gold Coast Drive # 16
San Diego, CA 92126

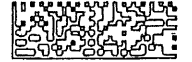
Case 1:17-cv-01772-BEN-BLM Document 1 Filed 07/08/16 PageID.10 Page 10 of 14



FIR
Hasler
06/07/2016
US POSTAGE \$0

37-2016-00334929-SC-SC-CTL

7006 0810 0001 3918 5076



01

RESTRICTED DELIVERY

Deliver to Addressee Only

Postmaster: Please

Do Not Forward

Return Receipt Requested

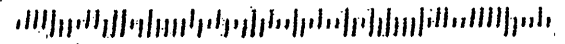
Outside California

Navient Solutions, Inc
Serve: CSC-Lawyers Incorporating Service
2710 Gateway Oaks Drive # Suite 150N
Sacramento, CA 95833

Deliver To

Addressee Only

9583303502 R034



FW-003**Order on Court Fee Waiver
(Superior Court)****1 Person who asked the court to waive court fees:**

Name: Mir Nematullah Salat
 Street or mailing address: 9431 Gola Coast Dr #F6
 City: San Diego State: CA Zip: 92126

2 Lawyer, if person in ① has one (name, address, phone number, e-mail, and State Bar number):none**3 A request to waive court fees was filed on (date):** MAY 09 2016☐ The court made a previous fee waiver order in this case on (date):Read this form carefully. All checked boxes ☒ are court orders.**FILED**

Clerk of the Superior Court

MAY 09 2016

2016 10w

Fill in court name and street address:

Superior Court of California, County of

SAN DIEGO SUPERIOR COURT
 SMALL CLAIMS CENTRAL DIVISION
 330 WEST BROADWAY, RM 241
 SAN DIEGO, CA 92101

Fill in case number and name:

Case Number:

37-2016-00334929-SC-SC-CTL

Case Name:

Sadare v.s. NavientSolutions Inc.

Notice: The court may order you to answer questions about your finances and later order you to pay back the waived fees. If this happens and you do not pay, the court can make you pay the fees and also charge you collection fees. If there is a change in your financial circumstances during this case that increases your ability to pay fees and costs, you must notify the trial court within five days. (Use form FW-010.) If you win your case, the trial court may order the other side to pay the fees. If you settle your civil case for \$10,000 or more, the trial court will have a lien on the settlement in the amount of the waived fees. The trial court may not dismiss the case until the lien is paid.

4 After reviewing your: ☒ Request to Waive Court Fees ☐ Request to Waive Additional Court Fees
the court makes the following orders:a. ☒ The court grants your request, as follows:

(1) ☒ **Fee Waiver.** The court grants your request and waives your court fees and costs listed below. (Cal. Rules of Court, rules 3.55 and 8.818.) You do not have to pay the court fees for the following:

- Filing papers in Superior Court
- Making copies and certifying copies
- Sheriff's fee to give notice
- Court fee for phone hearing
- Reporter's fee for attendance at hearing or trial, if reporter provided by the court
- Assessment for court investigations under Probate Code section 1513, 1826, or 1851
- Preparing, certifying, copying, and sending the clerk's transcript on appeal
- Holding in trust the deposit for a reporter's transcript on appeal under rule 8.130 or 8.834
- Making a transcript or copy of an official electronic recording under rule 8.835
- Giving notice and certificates
- Sending papers to another court department
- Court-appointed interpreter in small claims court

(2) ☐ **Additional Fee Waiver.** The court grants your request and waives your additional superior court fees and costs that are checked below. (Cal. Rules of Court, rule 3.56.) You do not have to pay for the checked items.

- ☐ Jury fees and expenses
- ☐ Fees for a peace officer to testify in court
- ☐ Fees for court-appointed experts
- ☐ Court-appointed interpreter fees for a witness
- ☐ Other (specify): _____

E

SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN DIEGO		FOR COURT USE ONLY	
PLAINTIFF(S)/PETITIONER(S)/MINOR(S) NAME(S)		FILED CIVIL BUSINESS OFFICE 17 CENTRAL DIVISION	
DEFENDANT(S)/RESPONDENT(S)		16 JUN 16 PM 1:05 CLERK-SUP SAN DIEGO COUNTY CA	
RETURN RECEIPT FOR CERTIFIED MAIL		CASE NUMBER 37-2016-00334929-SC-SC-CTL	

9/22/16 @ 8 AM

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete Items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature X</p> <p>B. Recipient's Name Shasha Ward</p> <p>C. Date of Delivery JUN 09 2016</p> <p>D. Is delivery address different from item 1? YES, enter delivery address below</p> <p>ORIGINAL SIGNATURE REQUIRED</p>	
<p>1. Article Addressed to:</p> <p>Navient Solutions, Inc Serve: CSC-Lawyers Incorporating Service 2710 Gateway Oaks Drive # Suite 1500 Sacramento, CA 95833</p> <p>9590 9402 1274 5246 7637 00</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Registered Mail</p> <p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
<p>2. Article Number (Transfer from service label)</p> <p>7006 0810 0001 3418 5076</p>		<p>Domestic Return Receipt</p>	

PROOF OF SERVICE

I am employed in the City and County of Los Angeles, California. I am over the age of 18 and not a party to the within action. My business address is 725 South Figueroa Street, 38th Floor, Los Angeles, California 90017.

On **July 8, 2016**, I served the following document(s) described as:

**NOTICE OF REMOVAL OF ACTION TO FEDERAL COURT
BASED ON FEDERAL QUESTION JURISDICTION**

on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes addressed as follows:

Mir Nematullah Sadat
9431 Gold Coast Drive, #F6
San Diego, CA 92126
Telephone: (858) 265-6095

Pro Se Plaintiff

- ☒ (MAIL) I placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this firm's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Los Angeles, California.
- ☐ (OVERNIGHT DELIVERY) I deposited in a box or other facility regularly maintained by an express service carrier, or delivered to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document in sealed envelopes or packages designated by the express service carrier, addressed as stated above, with fees for overnight delivery paid or provided for.
- ☐ (MESSENGER SERVICE) I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed and provided them to a professional messenger service for service. A separate Personal Proof of Service provided by the professional messenger service will be filed under separate cover.
- ☐ (PERSONAL/MESSENGER SERVICE) Delivery was made to the attorney or at the attorney's office by serving the documents in an envelope or package clearly addressed and identifying the attorney at the addresses listed above and/or by leaving with a receptionist or an individual in charge of the office.
- ☐ (FACSIMILE) Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

AKERMAN LLP

1400 WEWATTA STREET, SUITE 500
DENVER, COLORADO 80202
TEL.: (303) 260-7712 - FAX: (303) 260-7714

☐ (E-MAIL or ELECTRONIC TRANSMISSION) Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ (CM/ECF Electronic Filing) I caused the above document(s) to be transmitted to the office(s) of the addressee(s) listed above by electronic mail at the e-mail address(es) set forth above pursuant to Fed.R.Civ.P.5(d)(1). "A Notice of Electronic Filing (NEF) is generated automatically by the ECF system upon completion of an electronic filing. The NEF, when e-mailed to the e-mail address of record in the case, shall constitute the proof of service as required by Fed.R.Civ.P.5(d)(1). A copy of the NEF shall be attached to any document served in the traditional manner upon any party appearing pro se."

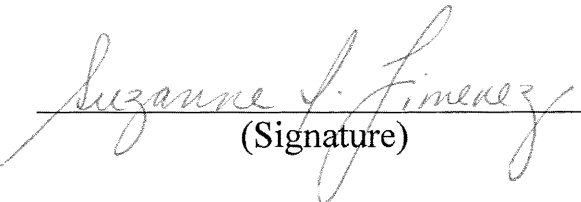
I declare under penalty of perjury that I am employed in the office of a member of the bar of this Court at whose direction this service was made and that the foregoing is true and correct.

☐ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (Federal) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on **July 8, 2016**, at Los Angeles, California.

Suzanne I. Jimenez
(Type or print name)


(Signature)

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